

ADMINISTRATIVE PANEL DECISION

Coit Services Inc. v. Ofir Asis

Case No. D2025-1218

1. The Parties

The Complainant is Coit Services Inc., United States of America ("U.S."), represented by Dentons US LLP, U.S.

The Respondent is Ofir Asis, U.S.

2. The Domain Name and Registrar

The disputed domain name <koitusa.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 25, 2025. On March 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Domains By Proxy, LLC, DomainsByProxy.com) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 2, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on April 4, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on April 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 6, 2025.

The Center appointed Dennis A. Foster as the sole panelist in this matter on May 9, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a California restoration cleaning company that has been in business for over 70 years.

In conjunction with its business, the Complainant has registered a number of COIT U.S. Federal trademarks dating back to 1969, including:

--Registration no.: 1,897, 758, registration date: June 6, 1995; international class 37 for caring for floors, windows, upholstery and airducts.

--Registration no: 2,537,842; registration date: February 12, 2002; international class 37 for restoration services for residential and commercial locations.

Also, the Complainant advertises on television and radio, and has had an Internet presence at <coit.com> since 1995.

The Respondent is an entity that registered the disputed domain name on November 15, 2024. The disputed domain name resolves to a website offering competing, cleaning services under the name "Koit".

5. Parties' Contentions

A. Complainant

--The Respondent is unknown to the Complainant and has no relationship with the Complainant or its business.

--The disputed domain name is identical or confusingly similar to the Complainant's COIT trademarks.

--The Respondent's website at the disputed domain name is similar to the Complainant's own website and claims to offer the same cleaning and restoration services.

--The Respondent is not a licensee or a subsidiary of the Complainant.

--The Respondent is not commonly known by the disputed domain name.

--The Respondent does not have rights or legitimate interests in the disputed domain name.

--The Complainant's prior rights in the COIT trademark precede by decades the Respondent's registration of the disputed domain name.

--The Respondent has not made use of, or made demonstrable preparations to use, the disputed domain name for a bona fide offering of goods or services.

--Given the Respondent's explicit use of the Complainant's COIT trademark in the disputed domain name for services identical to the Complainant's services and on a webpage like the Complainant's, the Respondent must have been aware of the Complainant when it registered the disputed domain name.

--The website at the disputed domain name very closely resembles the Complainant's primary website. The Respondent aims to misdirect consumers from the Complainant to the Respondent to harvest consumers' personal and financial information.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

In accordance with paragraphs 4(a)(i) - (iii) of the Policy, the Panel may find for the Complainant and order a transfer of the disputed domain name provided the Complainant can show that:

- The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- The disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has annexed copies of its U.S. trademark registrations for COIT whose details the Panel has laid out in the Factual Background section *supra*. The Complainant has established rights in the mark COIT by virtue of its registered trademarks.

In the disputed domain name, the Respondent changed "c" to "k", and added "usa" to the Complainant's trademark. It is well-settled under the Policy that changing one letter deliberately, i.e., "typosquatting", or adding an additional term to a trademark (here, "usa") in a domain name do not preclude a finding that the disputed domain name is confusingly similar to the trademark, and the Panel so finds in the present case. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), sections 1.2.1, 1.8 and 1.9. (See also *Northern Trust Corporation v. Privacy Service Provided by Withheld for Privacy ehf/Stan Beef, Web Design Agency*, WIPO Case No. [2021-3860](#) (The Panel found that the addition of other elements does not avoid a finding of confusing similarity.) The Panel further notes that the Respondent took care to make the disputed domain name phonetically identical to the Complainant's COIT trademark.

The Panel thus finds that the Complainant has carried its burden of proof under Policy paragraph 4(a)(i) to show that the disputed domain name is confusingly similar to the Complainant's COIT trademark.

B. Rights or Legitimate Interests

Owing to the difficulty of the Complainant having to prove the negative proposition that the Respondent does not have rights or legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii), the Policy consensus is that it is sufficient for the Complainant to make a prima facie case, and then the burden of production shifts to the Respondent to come forward and show that it does have rights or legitimate interests in the disputed domain name. However, the overall burden of proof remains on the Respondent. [WIPO Overview 3.0](#), section 2.1.

The Complainant contends that the Respondent does not have a license or other authorization to use its trademark in the disputed domain name, and this constitutes a prima facie case under the Policy. [WIPO Overview 3.0](#), section 2.1. The Respondent has not come forward to rebut the Complainant's prima facie case, but the Panel will nonetheless examine the record to see whether there is any evidence that the

Respondent might have rights or legitimate interests in the disputed domain name. In doing so, the Panel will accept all of the Complainant's reasonable contentions as true. See, *OSRAM GmbH. v. Mohammed Rafi/Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. [D2015-1149](#) ("The Respondent has not submitted a response to the Complaint, in the absence of which the Panel may accept all reasonable inferences and allegations in the Complaint as true."). And [WIPO Overview 3.0](#), section 2.1: "The panel may draw inferences from the absence of a response as it considers appropriate, but will weigh all available evidence irrespective of whether a response is filed."

The Policy sets forth three ways in which the Respondent may show that it does have rights or legitimate interests in the disputed domain name per Policy paragraph 4(c) (i, ii and iii). Under Policy paragraph 4(c)(i), the Respondent can show that, before being informed of this dispute, it had been using, or was making preparations to use, the disputed domain name for a bona fide offering of goods or services. In this case, the Respondent is using the disputed domain name to resolve to a website, which in the Panel's view, has the look and feel of the Complainant's website, offering the same cleaning services that the Complainant offers. This is not a bona fide offering of goods or services per Policy paragraph 4(c)(i), but is instead a bad faith offering of services. [WIPO Overview 3.0](#), section 2.13.1. See also *Northern Trust Corporation supra*.

Further, per Policy paragraph 4(c)(ii), it is not apparent that the Respondent has been commonly known as the disputed domain name. And lastly, it is equally not apparent that the Respondent has been using the disputed domain name for a legitimate non-commercial or fair use per Policy paragraph 4(c)(iii).

The Panel thus finds that the Respondent does not have rights or legitimate interests in the disputed domain name per Policy paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

The Policy at paragraph 4(b) provides four non-exhaustive ways in which the Complainant may show that the Respondent has registered and is using the disputed domain name in bad faith. Here, the Respondent registered a disputed domain name that is confusingly similar to the Complainant's COIT trademark which is well-known in the restorative cleaning field all over the U.S. going back decades. As the Complainant contends, the Panel agrees this shows the Respondent was aware of who the Complainant was, and knew of its reputation in the residential and commercial property cleaning field.

Next, the Respondent used the disputed domain name to resolve to a website, which in the Panel's view, has the look and feel of the Complainant's website and purported to offer for sale the same cleaning and restorative services as the Complainant. The Panel finds the Respondent was attempting to divert prospective customers looking for the Complainant to the Respondent's website for financial gain in violation of Policy paragraph 4(b)(iv):

"...by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

And see *Inter-IKEA Systems B.V. v. Evezon Co. Ltd.*, WIPO Case No. [D2000-0437](#).

The Panel therefore finds that the Complainant has carried its burden of proof to show that the Respondent has registered and is using the disputed domain name in bad faith.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <koitusa.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: May 23, 2025